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|--|--------------------------------------|-----------------------------|-------------------------------|
| <b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>   |                                      |                             | <b>Docket No.</b>             |
| Applicant(s): Zagaja, et al.   |                                      |                             | PES-0160                      |
| <b>Application No.</b><br>10/604,670   | <b>Filing Date</b><br>August 8, 2003 | <b>Examiner</b><br>L. Zheng | <b>Group Art Unit</b><br>1745 |
| Invention: ELECTROCHEMICAL CELL SUPPORT STRUCTURE  |                                      |                             |                               |
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| <p>I hereby certify that this _____ <u>Response to Restriction Requirement (2 pages)</u> _____<br/>(Identify type of correspondence)<br/>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (571) 273-8300<br/>on <u>July 20, 2005</u><br/>(Date)</p> <p style="text-align: right;">_____<br/>Sonia Mancini<br/>(Typed or Printed Name of Person Signing Certificate)<br/>_____<br/>Sonia Mancini<br/>(Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p> |                                      |                             |                               |

PES-0160

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JOHN ZAGAJA ET AL. )  
Serial No.: 10/604,670 ) Group Art Unit: 1742  
Filed: August 8, 2003 )  
For: ELECTROCHEMICAL CELL SUPPORT ) Examiner: L. Zheng  
STRUCTURE )

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Commissioner for Patents  
Alexandria, VA 22313

**RESPONSE TO RESTRICTION REQUIREMENT**  
**PURSUANT TO 35 U.S.C. §121**

Sir:

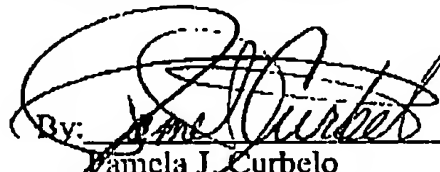
This is in response to the Restriction Requirement dated July 11, 2005. The Examiner contends that: Group I, Claims 1-27 drawn to an electrochemical cell, classified in Class 204, subclass 242; and Group II, Claims 28-29, drawn to a method for operating an electrochemical cell, classified in Class 205, subclass 637. Pursuant to MPEP §§806.04, 806.05(c), 806.05(d), 808.01, and 35 U.S.C. §121 the Examiner requires restriction between Groups I and II.

Accordingly, pursuant to 35 U.S.C. §121, Applicants hereby elect to prosecute Group I, with traverse. This election is being made without prejudice to Applicants' rights with respect to Claims 28-29, Group II, including the right to file divisional application(s) thereon.

If there are any charges with respect to this Restriction Requirement, or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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